

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Mark A. Fritzke  
Title: BALL BAT HAVING A  
HITTING PORTION WITH  
VARIABLE WALL THICKNESS

Prior Appl. 10/762,024  
No.:

Prior Appl. January 21, 2004  
Filing Date

Examiner TBD

Art Unit TBD

|  |                   |
|--|-------------------|
| <b>CERTIFICATE OF EXPRESS MAILING</b>  |                   |
| I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |                   |
| ER 133778060 US  | February 18, 2004 |
| (Express Mail Label Number)  | (Date of Deposit) |
| Terence P. O'Brien<br>(Printed Name)   |                   |
| <br>(Signature)  |                   |

**UTILITY PATENT APPLICATION**  
**TRANSMITTAL**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

☒ Continuing      ☐ Division      ☐ Continuation-In-Part (CIP)

of the above-identified compending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuation application and is hereby incorporated by reference therein.

Enclosed are:

☒ Specification, Claim(s), and Abstract of Parent Application No. 10/762,024 (47 pages).

- ☒ Formal drawings of Parent Application No. 10/762,024 (12 sheets, Figures 1-12).
- ☒ Declaration and Power of Attorney of Parent Application No. 10/762,024 (3 pages).
- ☒ Assignment of the invention to Wilson Sporting Goods Co. of Parent Application No. 10/762,024
- ☒ Assignment Recordation Cover Sheet of Parent Application No. 10/762,024.
- ☒ Preliminary Amendment ( 7 Pages)
- ☒ Postcard

The filing fee is calculated below:

|   | Claims<br>as Filed | Included in<br>Basic Fee | Extra<br>Claims | Rate              | Fee<br>Totals |
|---|--------------------|--------------------------|-----------------|-------------------|---------------|
| Basic Fee   |                    |                          |                 | \$770.00          | \$770.00      |
| Total Claims:   | 22                 | - 20                     | = 2             | x \$18.00         | = \$36.00     |
| Independents:   | 2                  | - 3                      | = 0             | x \$86.00         | = \$0.00      |
| If any Multiple Dependent Claim(s) present:                             |                    |                          | +               | \$280.00          | = \$0.00      |
|   |                    |                          |                 | SUBTOTAL:         | = \$806.00    |
| <input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above): |                    |                          |                 |                   | = \$0.00      |
|   |                    |                          |                 | TOTAL FILING FEE: | = \$806.00    |

- ☒ The Commissioner is hereby authorized to charge the filing fee in the amount of \$806.00 to Deposit Account No. 501959.
- ☐ The Commissioner is hereby authorized to charge the assignment recordation fee of \$40.00 to Deposit Account No. 501959.
- ☒ Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 501959. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 501959.

Please direct all correspondence to the undersigned attorney at the address indicated below.

Respectfully submitted,

Date 18 February 2004

By Terence P. O'Brien

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